

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1147

Introduced by Bromm, 23

Read first time January 20, 2004

Committee: Transportation and Telecommunications

A BILL

- 1 FOR AN ACT relating to motor vehicles; to amend sections 60-480 and
- 2 60-4,124, Revised Statutes Supplement, 2002; to change
- 3 provisions relating to school permits; to harmonize
- 4 provisions; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-480, Revised Statutes Supplement,
2 2002, is amended to read:

3 60-480. Operators' licenses issued by the Department of
4 Motor Vehicles pursuant to the Motor Vehicle Operator's License Act
5 shall be classified as follows:

6 (1) Class O license. The operator's license which
7 authorizes the person to whom it is issued to operate on highways
8 any motor vehicle except a commercial motor vehicle or motorcycle;

9 (2) Class M license. The operator's license or
10 endorsement on a Class O license, provisional operator's permit,
11 learner's permit, school permit, or commercial driver's license
12 which authorizes the person to whom it is issued to operate a
13 motorcycle on highways;

14 (3) CDL-commercial driver's license. The operator's
15 license which authorizes the person to whom it is issued to operate
16 a class of commercial motor vehicles or any motor vehicle, except a
17 motorcycle, on highways;

18 (4) RCDL-restricted commercial driver's license. The
19 class of commercial driver's license which, when held with an
20 annual seasonal permit, authorizes a seasonal commercial motor
21 vehicle operator as defined in section 60-4,146.01 to operate any
22 Class B Heavy Straight Vehicle or Class C Small Vehicle commercial
23 motor vehicle for purposes of a farm-related or ranch-related
24 service industry as defined in such section within one hundred
25 fifty miles of the employer's place of business or the farm or
26 ranch currently being served as provided in such section or any
27 other motor vehicle, except a motorcycle, on highways;

28 (5) POP-provisional operator's permit. A motor vehicle

1 operating permit with restrictions issued pursuant to section
2 60-4,120.01 to a person who is at least sixteen years of age but
3 less than eighteen years of age which authorizes the person to
4 operate any motor vehicle except a commercial motor vehicle or
5 motorcycle;

6 (6) SCP-school permit. A permit issued to a student
7 between fourteen and sixteen years of age for the purpose of
8 ~~driving to and from school~~ school-related and other restricted
9 driving in accordance with the requirements of section 60-4,124;

10 (7) FMP-farm permit. A permit issued to a person for
11 purposes of operating farm tractors and other motorized implements
12 of farm husbandry on highways in accordance with the requirements
13 of section 60-4,126;

14 (8) LPC-learner's permit. A permit which when held in
15 conjunction with a Class O license or commercial driver's license
16 authorizes a person to operate a commercial motor vehicle for
17 learning purposes when accompanied by a person who is at least
18 twenty-one years of age;

19 (9) LPD-learner's permit. A permit issued in accordance
20 with the requirements of section 60-4,123 to a person at least
21 fifteen years of age which authorizes the person to operate a motor
22 vehicle, except a commercial motor vehicle, for learning purposes
23 when accompanied by a licensed operator who is at least twenty-one
24 years of age and who possesses a valid operator's license issued by
25 this state or another state;

26 (10) LPE-learner's permit. A permit issued to a person
27 at least fourteen years of age which authorizes the person to
28 operate a motor vehicle, except a commercial motor vehicle, while

1 learning to drive in preparation for application for a school
2 permit;

3 (11) EDP-employment driving permit. A permit issued to a
4 person which authorizes the person to operate a motor vehicle,
5 except a commercial motor vehicle, pursuant to the requirements of
6 sections 60-4,129 and 60-4,130;

7 (12) SEP-seasonal permit. A permit issued to a person
8 who holds a restricted commercial driver's license authorizing the
9 person to operate a commercial motor vehicle, as prescribed by
10 section 60-4,146.01, for no more than one hundred eighty
11 consecutive days in any twelve-month period. The seasonal permit
12 shall be valid and run from the date of original issuance of the
13 permit for one hundred eighty days and from the date of annual
14 revalidation of the permit; and

15 (13) MHP-medical hardship driving permit. A permit
16 issued to a person which authorizes the person to operate a motor
17 vehicle, except a commercial motor vehicle, pursuant to the
18 requirements of sections 60-4,130.01 and 60-4,130.02.

19 Sec. 2. Section 60-4,124, Revised Statutes Supplement,
20 2002, is amended to read:

21 60-4,124. (1) A person who is younger than sixteen years
22 of age but is over fourteen years of age may be issued, by the
23 county treasurer, a school permit ~~to drive a motor vehicle, moped,~~
24 ~~or motorcycle to and from where he or she attends school by the~~
25 ~~nearest highway from his or her place of residence~~ if such person
26 lives a distance of one and one-half miles or more from ~~such~~ school
27 and either resides outside a city of the metropolitan, primary, or
28 first class or attends a school which is outside a city of the

1 metropolitan, primary, or first class. A school permit shall be
2 used for the sole purpose of transporting person holding a school
3 permit may operate a motor vehicle, moped, or motorcycle (a) to and
4 from where he or she attends school and between schools of
5 enrollment between the hours of six a.m. and ten p.m. over the most
6 direct and accessible route by the nearest highway from his or her
7 place of residence to transport such person or any family member
8 who resides with such person to attend school, except that the
9 holder of the permit may drive duly scheduled courses of
10 instruction and extracurricular activities within the school
11 district or (b) under the personal supervision of a licensed
12 operator. Such licensed operator shall be at least twenty-one
13 years of age and licensed by this state or another state and shall
14 actually occupy the seat beside the permitholder or, in the case of
15 a motorcycle or moped, if the permitholder is within visual contact
16 of and under the supervision of, in the case of a motorcycle, a
17 licensed motorcycle operator or, in the case of a moped, a licensed
18 motor vehicle operator.

19 (2) A school permit shall not be issued until such person
20 has appeared before an examiner to demonstrate that he or she is
21 capable of successfully operating a motor vehicle, moped, or
22 motorcycle and has in his or her possession an examiner's
23 certificate authorizing the county treasurer to issue a school
24 permit. In order to obtain an examiner's certificate, the
25 applicant shall present to the examiner (a) proof of successful
26 completion of a department-approved driver safety course which
27 includes behind-the-wheel driving specifically emphasizing (i) the
28 effects of the consumption of alcohol on a person operating a motor

1 vehicle, (ii) occupant protection systems, (iii) risk assessment,
2 and (iv) railroad crossing safety and (b) (i) proof of successful
3 completion of a written examination and driving test administered
4 by a driver safety course instructor or (ii) a certificate in a
5 form prescribed by the department, signed by a parent, guardian, or
6 licensed driver at least twenty-one years of age, verifying that
7 the applicant has completed fifty hours of lawful motor vehicle
8 operation, under conditions that reflect department-approved driver
9 safety course curriculum, with a parent, guardian, or adult at
10 least twenty-one years of age, who has a then current Nebraska
11 operator's license or who is licensed in another state.

12 (3) Any such person desiring a school permit may first
13 obtain an LPE-learner's permit from the county treasurer, which
14 permit shall be valid for a period of two months. An LPE-learner's
15 permit shall not be issued until such person demonstrates that he
16 or she has sufficient powers of eyesight to safely operate a motor
17 vehicle, moped, or motorcycle. While holding the LPE-learner's
18 permit, the person may operate a motor vehicle on the highways of
19 this state if he or she has seated next to him or her a person who
20 is a licensed operator or, in the case of a motorcycle or moped, if
21 he or she is within visual contact of and is under the supervision
22 of a person who, in the case of a motorcycle, is a licensed
23 motorcycle operator or, in the case of a moped, is a licensed motor
24 vehicle operator. Such licensed motor vehicle or motorcycle
25 operator shall be at least twenty-one years of age and licensed by
26 this state or another state.

27 (4) The county treasurer shall collect the fee prescribed
28 in section 60-4,115 from each successful applicant for a school or

1 LPE-learner's permit. All school permits shall be subject to
2 revocation under the terms of section 60-496. Any person who
3 violates the terms of a school permit shall be guilty of an
4 infraction and shall not be eligible for another operator's license
5 or school, farm, LPD-learner's, or LPE-learner's permit until he or
6 she has attained the age of sixteen years.

7 Sec. 3. Original sections 60-480 and 60-4,124, Revised
8 Statutes Supplement, 2002, are repealed.